IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21364 of 2006

DATED: 09.10.2007

Between:

M. Prasad and others.

Petitioners

And

The Principal General Manager (TELECOM) BSNL, Hyderabad Telecom District, Suryalok Complex, Gunfoundary, Hyderabad and others.

Respondents

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THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION No. 21364 of 2006

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action of the respondents in not extending the benefit of the judgment of this Court in W.P.No.14744 of 2001, dated 16.10.2003 and W.A.No.1952 of 2005 and batch dated 26.12.2005 to the petitioners as illegal and direct the respondents to extend the benefit of the scale of pay of Rs.4,000/- -- Rs.6,000/- to the petitioners from the day of completion of 16 years of service including their Group-D/Regular Mazdoor service.

Learned counsel for the petitioners submits that petitioners herein are similarly placed to that of the respondents in W.A.No.1959 of 2005 and as such petitioners may be granted same relief and their scale of pay may be fixed at Rs.4,000/- -- Rs.6,000/-, as per the judgment of the Division Bench of this Court in the said writ appeal.

Learned counsel for the respondents does not dispute the said fact however, states that against the order passed in W.A.Nos.1959 of 2005 and batch, respondents herein/appellants therein preferred S.L.P.No.8488 of 2006 and batch and the Hon'ble Supreme Court has granted stay of operation of the order passed in the said writ appeals.

Therefore, the learned counsel requests that this writ petition may be disposed of directing the respondents that in the event of their failing in the said Special Leave Petitions, the respondents shall consider the cases of the petitioners and also extend the benefit of the relief granted in W.A.Nos.1959 of 2005 and batch.

In the light of the said submission, this writ petition is disposed of directing the respondents that if they fail in S.L.P.Nos.8488 of 2006 and batch, they shall extend the benefit of the relief granted in W.A.Nos.1959 of 2005 and batch and fix the scale of pay of petitioners in accordance with the judgment in the said writ appeals. There shall be no order as to costs.

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N.V.RAMANA, J

DATE: 09.10.2007
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